



**Project #16-042  
Alma Huppi Family TR Rezone  
Located at 1325 North 800 East**

**REPORT SUMMARY...**

*Project Name:* Alma Huppi Family TR Rezone  
*Proponent/Owner:* Tiffanie Bennett / Alma A. Huppi Family Trust  
*Project Address:* 1325 North 800 East  
*Request:* Rezone from MR-20 to CR  
*Current Zoning:* MR-20  
*Date of Hearing:* October 27, 2016  
*Type of Action:* Legislative  
*Submitted By:* Amber Pollan, Senior Planner

**RECOMMENDATION**

Staff recommends that the Planning Commission **recommend approval** to the Municipal Council for a rezone from MR-20 to CR, Alma Huppi Family TR Rezone, for the property located at 1325 North 800 East; TIN #05-016-0016.

*Land use adjoining the subject property*

<i>North:</i>	MR-20: apartment housing	<i>East:</i>	PUB: USU facilities
<i>South:</i>	NR-6: religious facilities	<i>West:</i>	MR-20: apartment housing

**Request**

The request is to rezone a 0.62 acre parcel from Mixed Residential Medium density (MR-20) to Campus Residential (CR). The property is for sale and there is not a proposed project at this time. The property has a single family residence that was originally constructed in 1957 and was part of area annexed into Logan City in 1969.

**Zoning History**

The City of Logan adopted Zoning regulations in August of 1950. The zoning history of the area is as follows:

Year	Zone	Use/Structure Permitted
1969	R-1	Single Family Residences with a minimum lot size of 8,000 SF. Parking requirements based on size of dwelling, typically 2 per unit.
1976	R-4	Single family, 2-4 unit dwellings, and multi-family residential uses with a minimum lot size of 6,000 SF for the first unit and an additional 1,000 SF per additional unit. Allowed for any number of unrelated persons per unit, parking requirements based on number or persons per unit.
2000	MFH	Multi-Family Residential Uses up to 14 units per acre. Allowed up to 3 adults per unit and a minimum of 2.25 spaces per unit.
2011	MRH	Multi-Family Residential Uses up to 12 units per acre. Allowed up to 3 adults per unit and a minimum of 2 spaces per unit.
2013	MR-20	Multi-Family Residential Uses up to 14 units per acre. Allowed up to 3 adults per unit and a minimum of 2 spaces per unit.

**General Plan**

The Future Land Use Plan (FLUP) adopted in 2008, identifies this area as Campus Residential (CR). The General Plan encourages highest density development in the City in this area adjacent to Utah State University. The intent is to relieve the student housing pressure on

traditional single family neighborhoods. The CR zoning district is an appropriate zone for the CR FLUP area.

### **Land Development Code (LDC)**

The Land Development Code (LDC) §17.12.080 describes the MR-20 zone as a district providing a mix of housing options for all stages of life. MR-20 zones are typically located near employment centers and commercial services. LDC §17.12.110 describes the CR zone as a district that encourages student housing near USU that is innovative and pedestrian friendly. It also allows for limited commercial uses serving the resident population in the surrounding neighborhoods.

There are similarities in the development standards between the MR-20 and CR zones. The setbacks are the same in either zone and require additional setbacks if adjacent property is an NR zone. The property south of the Huppi property is zoned NR-6, where the LDS churches are located. Additional setbacks and height transition standards would apply in either zone. Both zones require 30% of the site to be set aside in open and useable outdoor space. The CR zone would allow for twice as many residential units and four times as many residents- 24 units and 144 residents. The MR-20 zone has a maximum height of 45' and the CR zone allows up to 55'.

The CR zone allows for limited commercial uses when they are associated with a residential development on the property. The square footage is limited to 25% of the ground floor square footage of a structure.

### **Neighborhood Compatibility**

The property is accessed by 800 East, a major collector that is able to handle additional traffic impact. The Oakridge apartment complex to the north and west is zoned MR-20 and was built in 1996 at 14 units per acre with 4 residents per unit. The church facilities to the south are zoned residential. The use is primarily parking during the day and has extensive use for activities on weeknights and weekends. The subject property is in close proximity to Utah State University and there would be little impact on adjacent properties for a higher density residential development and limited commercial use in this location as the area is used for student housing and support facilities.

### **Summary & Recommendation**

This area is designated for development of student housing and limited supporting uses. The existing single family residence is not consistent with the zone and the area would be appropriate for redevelopment under the Campus Residential zoning due to compatible surrounding uses, proximity to Utah State University, and existing roadways and utilities in the area. Allowing more intense development in this location, which is compatible with the intent of the Campus Residential zone and future land use designations, will provide more opportunities for students to live close to campus and relieve pressure on traditional single family areas. Any new development would have to follow the standards and guidelines of the zone, including parking and occupancy.

### **PUBLIC NOTICE**

Public notice regarding this zone change request was mailed to property owners within 300' of the subject property on October 10, 2016. A quarter page ad was published in the Herald Journal on October 9, 2016 and legal notice published on October 13, 2016. The public notice was posted on the Utah Public Meeting Notice Website on October 17, 2016.

### **PUBLIC COMMENTS**

As of the time the staff report was prepared, no comments have been received.

## **AGENCY AND CITY DEPARTMENT COMMENTS**

City Departments reviewed the request and there are not any comments related to the rezone at this time.

## **RECOMMENDED FINDINGS FOR APPROVAL**

The Planning Commission bases its decisions on the following findings:

1. The location of the subject property is compatible with the purpose of the Campus Residential (CR) zoning district.
2. The subject property is suitable for all development within the new zoning district without increasing the need for variances or special exceptions.
3. The subject property is suitable as a location for all of the permitted uses within the new zoning district.
4. The infrastructure providing access and utility services to the subject property have adequate capacities or a suitable level of service for the permitted uses within the new zoning district.
5. The subject property, when used for the permitted uses in the new zoning district, will not be incompatible with adjoining land uses or the purpose of the adjoining zoning districts.
6. The zone change is consistent with the goals and policies of the General Plan for the Campus Residential area.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.

## **Chapter 17.13: Neighborhood Residential Zone Uses**

### **§17.13.010 Purpose**

Chapter 17.13 sets forth the types of land uses permitted and conditionally permitted within Logan's Neighborhoods, consistent with Logan's Future Land Use Map.

### **§17.13.020 Neighborhood Residential Land Use: Classification**

- A. **Primary Uses.** Land use shall conform to the designations in Tables 17.13.030 (Structure Type) and Table 17.13.040 (Land Use). Land uses are designated as follows:
1. **Permitted Uses.** A "P" indicates that a use is allowed in the respective zoning district. Permitted uses must conform to the applicable requirements of the Land Development Code. Permitted uses requiring a public hearing are subject to the Procedures for Processing Applications contained in Chapter 17.55.
  2. **Conditional Uses.** A "C" indicates that a use is allowed as a Conditional Use in the respective zoning district. Conditional uses are subject to review and approval under the provisions of Chapter 17.49, Conditional Use Permits, and the Procedures for Processing Applications contained in Chapter 17.55.
  3. **Uses Not Allowed.** An "N" indicates that a use is not allowed in the respective zoning district, except where State or Federal law otherwise preempts local land use regulation.
- B. **Accessory Uses and Structures.** An accessory use or structure may be permitted in compliance with the applicable provisions of the zone in which it is located. An accessory use shall not commence and no accessory structure shall be constructed without a primary use first being lawfully established on the subject site. Additional regulations apply to Home Occupations (See Chapter 17.43).
- C. **Temporary Uses.** Temporary uses may be permitted for a period not to exceed twelve (12) calendar months in compliance with the provisions of the zone in which it is located and the provisions of Chapter 17.60. The procedures for review and approval of a temporary use are the same as for a permanent use; however, the reviewing authority may waive certain Land Development Code standards, and impose conditions of approval on the temporary use, as it deems necessary, to promote compatibility between the proposed use and adjacent permitted uses.
- D. **Non-Conforming Uses.** Non-conforming uses and development are subject to the provisions of Chapter 17.59.

### **§17.13.030 Neighborhood Residential Structure Types**

Table 17.13.030 lists the residential structure types allowed in Neighborhood residential zones. The structure types listed in the table are defined in Chapter 17.62. A "P" means the structure type is permitted, "C" means the structure type is permitted with a conditional use permit, and "N" means the structure type is not permitted.

## 17.13: Neighborhood Residential Zone Uses

**Table 17.13.030: Residential Structure Types Allowed in Residential Districts**

Type of Residential Structure	Residential Zoning Districts									
	NR-2	NR-2	NR-6	MR-9	MR-12	MR-20	MR-30	CR	NC	RC
Courtyard house, attached	N	N	N	P	P	P	P	P	N	N
Courtyard house, detached	N	N	P	P	P	P	P	P	N	N
Front yard house, attached	N	N	N	P	P	P	P	P	N	N
Front yard house, detached	P	P	P	P	P	P	P	P	N	P
Live work	N	N	N	N	N	N	C	C	C	N
Multi-dwelling, attached	N	N	N	N	P	P	P	P	N	N
Multi-dwelling, stacked	N	N	N	N	N	P	P	P	N	N
Manufactured housing unit	C	C	C	C	C	C	C	C	N	C
Twinhome (Duplex)	N	N	N	P	P	P	P	P	N	N
Town House	N	N	N	C	P	P	P	P	N	N

**§17.13.040 Neighborhood Residential Land Uses**

The following regulations are intended to accommodate a variety of housing choices and neighborhood-oriented services. With the exception of the Manufactured Home (MH) district, Table 17.13.040 lists the land uses allowed in all neighborhood residential zones.

**Table 17.13.040: Allowed Uses in Neighborhood Residential Zones**

LAND USE	Neighborhood Zones									
	NR-2	NR-4	NR-6	MR-9	MR-12	MR-20	MR-30	CR-40	NC	RC
<b>Residential Uses</b>										
Assisted Living Center	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	P	P	P	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>
Nursing Home, Convalescent Home	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	P	P	P	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>
Group Home where care, training, or treatment IS provided on site.	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>
Group Home where care, training, or treatment IS NOT provided on site.	C	C	C	C	C	C	C	C	N	N
Dormitories, Fraternities, Sororities	N	N	N	N	N	N	N	C	N	N
Residential occupancy of a dwelling unit by a family, or no more than three (3) unrelated individuals.	P	P	P	P	P	P	P	P	P	P
Residential occupancy of a dwelling unit by no more than six (6) unrelated individuals and not to exceed two (2) persons per bedroom.	N	N	N	N	N	N	N	P	N	N
<b>Public/Institutional Uses</b>										
Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community	N	N	N	N	C	C	C	C	N	N
Family Day Care/ Preschool (1-8 Clients)	P	P	P	P	P	P	P	P	N	C
Family Group Day Care/ Preschool (9-16 clients)	C	C	C	C	C	C	C	C	N	N
Commercial Day Care 17 or more clients	N	N	N	N	N	N	N	C	N	N
Neighborhood Parks and Open Areas	P	P	P	P	P	P	P	P	N	P
Community/Regional Parks	C	C	C	C	C	C	C	C	N	C
Religious Institutions	P	P	P	P	P	P	P	P	N	N
Clubs, Lodges, similar uses	N	N	N	N	C	C	C	C	N	N
Libraries, Museums, Community Centers	N	N	C	C	C	C	C	C	N	N
Cemetery, Mausoleum	C	C	C	C	C	C	C	C	N	C
Public Safety Services (fire, police)	C	C	C	C	C	P	P	P	N	P
Public Schools (K-12)	State law supersedes local zoning regulations.									
Private Schools (K-12)	C	C	C	C	C	C	C	C	N	C
<b>Utility Uses</b>										
Wireless Telecommunication Facilities	C	C	C	C	C	C	C	C	C	C

## 17.13: Neighborhood Residential Zone Uses

LAND USE	Neighborhood Zones									
	NR-2	NR-4	NR-6	MR-9	MR-12	MR-20	MR-30	CR-40	NC	RC
Radio, television, microwave towers or other telecommunication towers	C	C	C	C	C	C	C	C	C	C
Amateur radio towers of 50' or less in height above the average elevation of the subject property	C	C	C	C	C	C	C	C	C	C
Utilities, basic service delivery and laterals	P	P	P	P	P	P	P	P	P	P
Utilities, distribution network	C	C	C	C	C	C	C	C	C	C
Utilities, structures, physical facilities, (Regional Facilities)	C	C	C	C	C	C	C	C	C	C
Municipal water well, reservoir, or storage tank	C	C	C	C	C	C	C	C	C	C
Neighborhood Serving Commercial Uses										
Food Services less than 3,000 square feet in size & no auto drive-through <sup>1</sup>	N	N	N	N	N	N	N	P	P	N
Food Services less than 5,000 square feet in size & no auto drive-through <sup>1</sup>	N	N	N	N	N	N	N	P	C	N
Sales and Service less than 3,000 square feet in size <sup>1</sup>	N	N	N	N	N	N	N	P	P	N
Sales and Service less than 5,000 square feet in size <sup>1</sup>	N	N	N	N	N	N	N	P	C	N
Office – General business, government, professional, medical, or financial and less than 3,000 square feet in size	N	N	N	N	N	N	N	C	P	N
Office – General business, government, professional, medical, or financial and less than 5,000 square feet in size	N	N	N	N	N	N	N	C	C	N
Food Service & Sales and Service comprising no more than 25% of the first floor area	N	N	N	N	N	N	N	C	N	N
Bed & Breakfast & Sleeping Accommodations - ten or fewer rooms and meal service limited to guests. Sleeping accommodations for transient occupancy	N	N	N	N	N	C	C	C	N	N
Other Uses										
Parking, Commercial	N	N	N	N	N	N	N	C	N	N
Residential Programs for Drug & Alcohol Treatment	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>
Alternative or Post Incarceration Facilities	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>	N <sup>2</sup>
Agricultural Uses	P	P	N	N	N	N	N	N	N	P

<sup>1</sup> In the Campus Residential Zone, the total square footages of a proposed non-residential use may exceed the amounts listed in the use chart provided the total square footage of the proposed non-residential uses do not exceed 25% of the total first floor area and may only be located on the ground level floor.

<sup>2</sup> Indicates use may be allowed where State or Federal law preempts local zoning.



# APPLICATION FOR PROJECT REVIEW

☒ Planning Commission ☐ Land Use Appeal  
Oct. 27

Board ☐ Administrative Review

Date Received <b>09/16/2016</b>	Received By <b>Apollan</b>	Receipt Number	Zone <b>MR-20</b>	Application Number <b>PC 16-042</b>
Type of Application (Check all that apply): <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Zone Change <input type="checkbox"/> Administrative Design Review <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Variance <input type="checkbox"/> 4950' Design Review <input type="checkbox"/> Other _____				
PROJECT NAME <b>Alma A Huppi Family Trust Rezone</b>				
PROJECT ADDRESS <b>1325 North 800 East Logan Utah 84321</b>			COUNTY PLAT TAX ID # <b>05 -- 016 -- 0016</b>	
AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) <b>Tiffanie Bennett</b>			MAIN PHONE #	
MAILING ADDRESS <b>150 E 400 N</b>		CITY <b>Logan</b>	STATE <b>Utah</b>	ZIP <b>84321</b>
EMAIL ADDRESS <b>tiffanie.bennett@century21.com</b>				
PROPERTY OWNER OF RECORD (Must be listed) <b>Alma A Huppi Family Trust</b>			MAIN PHONE #	
MAILING ADDRESS <b>85 Quail Way</b>		CITY <b>Logan</b>	STATE <b>Utah</b>	ZIP <b>84321</b>
EMAIL ADDRESS <b>james.huppi53@gmail.com</b>				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) <b>change from : MR-20 to CR (campus Residential)</b>			Total Lot Size (acres) <b>.62</b>	
			Size of Proposed New Building (square feet)	
			Number of Proposed New Units/Lots	
- NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -				
I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permits on behalf of the property owner.			Signature of Property Owner's Authorized Agent <b>James W. Huppi</b> <b>Tiffanie Bennett</b>	

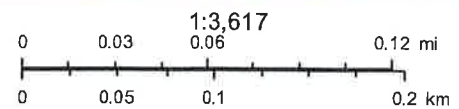
Council workshop: Nov. 15  
Council hearing: Dec. 6

# ArcGIS Web Map

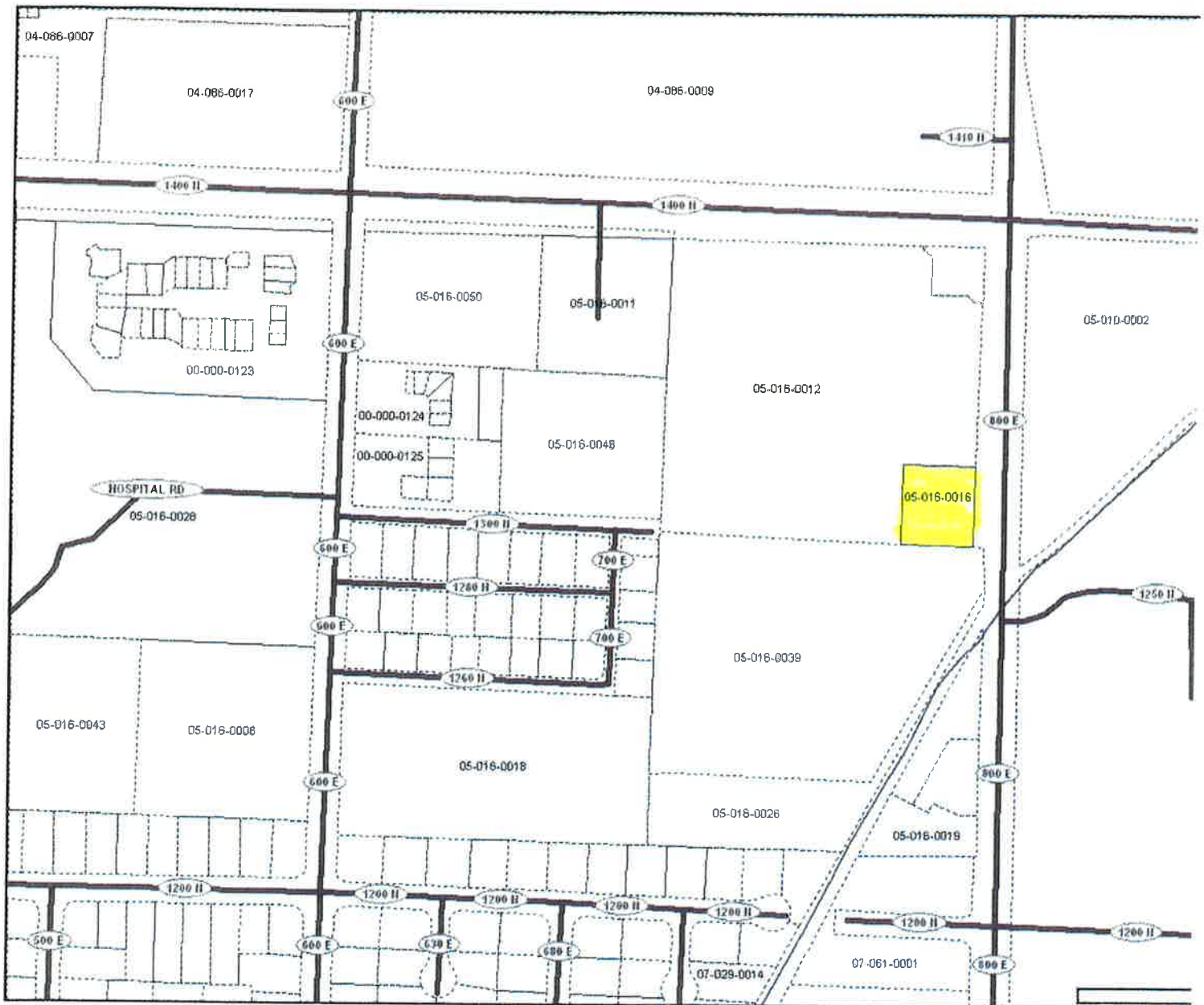


September 12, 2016

- County Boundary
- ☐ Municipal Boundary
- County Centerline
- ☐ Cache Parcels



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Legend (1:812)

-  Roads
-  Parcels
-  Water Features

